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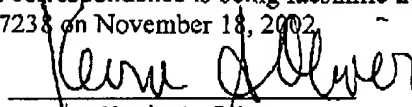
U.S.S.N. 09/465,436
Group Art Unit: 2172

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Midgley, et al.)	
)	
Serial No.: 09/465,436)	Group Art Unit: 2172
)	
Filed: December 16, 1999)	Examiner: Shahid Al Alam
)	
For: Systems and Methods for Backing Up)	Attorney Docket No.: NTK-005.01
Data Files)	

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office at (703) 746-7238 on November 18, 2002.


Kevin A. Oliver

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97**

Commissioner for Patents
Washington, DC 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97, submitted herewith on Form PTO-1449 are documents known to Applicants and/or their Attorney in compliance with the requirements of 37 C.F.R. § 1.56. Copies of these documents are not being submitted as they were previously submitted in Applicants' Response filed September 12, 2002.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached Form 1449.

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This submission does not represent that a search has been made or that no better art exists. Nor does this submission constitute an admission that the cited documents are material or constitute "prior art." If the Examiner applies these documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of said document.

Applicants further reserve the right to take appropriate action to establish the patentability of the claimed subject matter over the listed documents, should the referenced documents be applied against the claims of the present application.

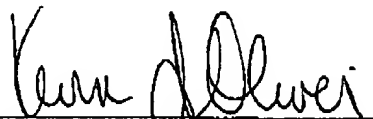
Applicants' Attorney does not believe that any extension of time or any additional fees are required for consideration of this Information Disclosure Statement, beyond those which may otherwise be provided for in accompanying documents. Should any additional extension of time or additional fees be required for timely consideration of this Information Disclosure Statement, however, Applicants' Attorney hereby petitions for same and requests that the extension fee and any other fee required for timely consideration be charged to **Deposit Account No. 06-1448, Reference NTK-005.01.**

Further, Applicants' Attorney hereby authorizes the Commissioner to credit any overpayment to **Deposit Account Number 06-1448, Reference NTK-005.01.**

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Applicants invite the Examiner to contact the Applicants' Attorney if any questions arise concerning this Information Disclosure Statement.

Respectfully submitted,
FOLEY HOAG LLP



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Date: November 18, 2002

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